

No. 14-2239

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

NATIONAL LABOR RELATIONS BOARD,
Petitioner,

v.

LITTLE RIVER BAND OF OTTAWA INDIANS TRIBAL GOVERNMENT,
Respondent.

On Application for Enforcement of an Order of the
National Labor Relations Board

**UNOPPOSED MOTION OF THE NATIONAL CONGRESS OF
AMERICAN INDIANS FOR LEAVE TO FILE A BRIEF AS
AMICUS CURIAE IN SUPPORT OF REHEARING EN BANC**

JOHN DOSSETT
NATIONAL CONGRESS OF
AMERICAN INDIANS
1516 P Street, NW
Washington, DC 20005
(202) 466-7767

DANIELLE SPINELLI
DANIEL WINIK
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000

ALAN E. SCHOENFELD
WILMER CUTLER PICKERING
HALE AND DORR LLP
7 World Trade Center
New York, NY 10007
(212) 230-8000

August 28, 2015

**DISCLOSURE OF CORPORATE AFFILIATIONS
AND FINANCIAL INTEREST**

Pursuant to Sixth Circuit Rule 26.1, the National Congress of American Indians makes the following disclosure:

1. Is said party a subsidiary or affiliate of a publicly owned corporation?

No.

2. Is there a publicly owned corporation, not a party to this appeal, that has a financial interest in the outcome?

No.

/s/ Danielle Spinelli

DANIELLE SPINELLI

WILMER CUTLER PICKERING

HALE AND DORR LLP

1875 Pennsylvania Avenue, NW

Washington, DC 20006

(202) 663-6000

Pursuant to Fed. R. App. P. 29(b), the National Congress of American Indians (NCAI) respectfully requests leave to file a brief as amicus curiae in support of rehearing en banc. Both parties consent to this motion.

1. Founded in 1944, NCAI is the nation's oldest and largest association of Indian tribal governments, representing 252 tribal governments and many individuals. NCAI serves as a forum for consensus-based policy development among its member Tribes from every region of the country. Its mission is to inform the public and all branches of the federal government about tribal self-government, treaty rights, and a broad range of federal policy issues affecting tribal governments.

2. This appeal presents the question whether the National Labor Relations Board has jurisdiction to regulate a Tribe-owned gaming operation on tribal land. It involves issues central to NCAI's mission: the relationship between Tribes and the federal government and the importance of Tribe-owned commercial enterprises to tribal sovereignty. NCAI and its members have an abiding interest in the proper resolution of the question presented here, and NCAI's perspective would help illuminate the importance of these issues as the Court determines whether to consider them en banc.

3. NCAI previously filed a brief as amicus curiae in a case that presents the same question: *Soaring Eagle Casino and Resort v. NLRB*, Nos. 14-2405 and

14-2558. NCAI is separately moving to file a brief in support of the pending petition for rehearing en banc in *Soaring Eagle*.

4. NCAI therefore respectfully requests leave to file the attached brief in support of rehearing en banc.

Respectfully submitted.

JOHN DOSSETT
NATIONAL CONGRESS OF
AMERICAN INDIANS
1516 P Street, NW
Washington, DC 20005
(202) 466-7767

/s/ Danielle Spinelli
DANIELLE SPINELLI
DANIEL WINIK
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
(202) 663-6000

ALAN E. SCHOENFELD
WILMER CUTLER PICKERING
HALE AND DORR LLP
7 World Trade Center
New York, NY 10007
(212) 230-8000

August 28, 2015

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of August, 2015, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Sixth Circuit using the appellate CM/ECF system. Counsel for all parties to the case are registered CM/ECF users and will be served by the appellate CM/ECF system.

/s/ Danielle Spinelli

DANIELLE SPINELLI

WILMER CUTLER PICKERING

HALE AND DORR LLP

1875 Pennsylvania Avenue, NW

Washington, DC 20006

(202) 663-6000